

### **REMARKS**

This Application has been carefully reviewed in light of the Final Office Action mailed October 16, 2007. At the time of the Final Office Action, Claims 2, 3, 5, 9, 11, 12, 14, and 18-21 were pending in this Application. Claims 1, 4, 6-8, 10, 13, and 15-17 were previously cancelled without prejudice. Claims 2, 3, 5, 9, 11, 12, 14, and 21 stand rejected. Claims 18-20 stand allowed. Applicant amends Claims 2, 3, 5, 11, 12 and 21 and respectfully requests reconsideration and favorable action in this case.

#### **Rejections under 35 U.S.C. § 112**

Claims 2, 3, 5, 9, 11, 12, and 14 were rejected by the Examiner under 35 U.S.C. §112, second paragraph, as being indefinite and failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant amended Claims 5 and 12 when written in independent form accordingly to overcome these objections.

#### **Rejections under 35 U.S.C. § 102**

Claims 2, 3, 9, 11, 14, and 21 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,607,323 issued to Foster ("Foster"). Applicant respectfully traverses and submits the cited art does not teach all of the elements of the claimed embodiment of the invention. To further prosecution of the application, Claims 9 and 14 are hereby cancelled without prejudice. The remaining claims are amended to depend from Claims 5 and 12, which were indicated as comprising allowable subject matter.

#### **Allowable Subject Matter**

Claims 18-20 are allowed.

Applicant appreciates Examiner's consideration and indication that Claims 5 and 12 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second

paragraph, as set forth in the Office Action and to include all of the limitations of the base claim and any intervening claims. Applicant submits Claims 5 and 12 incorporate the elements of base Claims 9 and 14, respectively. Applicant submits Claims 5 and 12 in condition for allowance and requests favorable action. Further, Claims 2, 3, 11, and 21 have been amended to depend from allowable Claims 5 and 12 and are therefore in condition for allowance.

**CONCLUSION**

Applicant has made an earnest effort to place this case in condition for allowance in light of the remarks set forth above. Applicant respectfully requests reconsideration of the pending claims.

Applicant believes there are no fees due at this time, however, the Commissioner is hereby authorized to charge any fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicant's attorney at 512.322.2690.

Respectfully submitted,  
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